

REMARKS

I. INTRODUCTION

Favorable reconsideration of this application, in light of the foregoing amendments and the following discussion, is respectfully requested.

II. STATUS OF THE CLAIMS

Claims 1-9 and 27-32 are pending. By the present amendment, Claim 1 is amended and Claims 27-32 are withdrawn.

III. SUMMARY OF THE OFFICE ACTION

In the Office Action, Claims 1-9 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; and Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0227873 to (hereinafter *Leghissa*).

IV. CLAIM REJECTIONS

A. Rejection of Claims 1-9 under 35 USC § 112, second paragraph

Claims 1-9 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite for the recitation of “back-to-back” and “the larger substrate”. In response, Applicants have amended Claim 1 to delete “back-to-back” and to change “the larger substrate” to “a larger substrate”, thereby providing proper antecedent basis.

In view of the amendments to Claim 1, Applicants submit that Claim 1 is definite. Accordingly, Applicants request reconsideration and withdrawal of the rejection of Claims 1-9 under 35 U.S.C. § 112, second paragraph.

B. Rejection of Claims 1-9 under 35 USC § 103(a)

Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Leghissa*. Applicants respectfully traverse.

Independent Claim 1 recites that multiple conductors are cut from a common substrate, whether after or before HTS coating of the substrate. And because the HTS conductors are not bent to shape, bending stresses on the HTS film are avoided. Specifically, Claim 1 recites that multiple sub-conductors are cut from a common substrate and that the sub-conductors are cut in a particular configuration, namely with similarly oriented element portions of the serpentine conductor elements being cut from common parts of the substrate across a width of the substrate. That is as shown in Figures 6 and 7 of the specification and described with reference thereto. The claimed invention provides a method for forming a conductor or cable which is highly economic and minimizes wastage of high cost HTS material while simultaneously avoiding lateral bending stresses on the HTS film.

Leghissa first refers to WO 01/59909 which discloses a method for forming transposed HTS cable. The method of WO 01/59909, however, requires lateral bending of the HTS which is damaging to the HTS, as set out in the background section of *Leghissa*.

Leghissa then discloses shaping an individual conductor or alternatively cutting the individual conductor from HTS material. *Leghissa* discloses only cutting a single conductor

from a substrate or base material. See paragraph [0045] (option b) of *Leghissa* and paragraph [0055] where further details of option b are provided. Although there is a reference in *Leghissa* (step 3) to the combining of 'N' such sub-conductors, that does not teach that multiple sub-conductors have been cut from a common substrate. Instead, that is simply a teaching that multiple conductors are combined to form the cable.

Moreover, there is no suggestion or disclosure in *Leghissa* to cut multiple conductors from a common substrate. It would not have been obvious to one skilled in the art in view of *Leghissa* to cut multiple conductors from a common substrate, or to do so with similarly oriented element portions of the conductor elements being cut from common parts of the substrate across a width of the substrate, as in the claimed invention.

Accordingly, Applicants submit that a *prima facie* case of obviousness has not been established because *Leghissa* fails to teach or render obvious all of the claim limitations of independent Claim 1. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of independent Claim 1 under 35 U.S.C. § 103.

Dependent Claims 2-8 are also believed to be allowable for the same reasons discussed above. Moreover, those claims recite additional features not found in *Leghissa*.

V. CONCLUSION

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME LLP, Deposit Account No. 23-2185 (105967.00763). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this report, Applicants hereby petition under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

BLANK ROME LLP

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